

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

QUINTEZ TALLEY,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 18-1685
)	
PA DEPT. OF CORRECTIONS, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Pending before the Court are the objections by *pro se* Plaintiff Quintez Talley (ECF No. 11), to the April 10, 2019, Report and Recommendation of the Magistrate Judge (ECF No. 9), which recommended that the Complaint be summarily dismissed pre-service for failure to state a claim pursuant to the screening provisions of 28 U.S.C. § § 1915(e)(2) and 1915A.

The Court has reviewed the matter and concludes that the Report and Recommendation correctly analyzes the issues and makes a sound recommendation. Upon consideration of the Complaint, together with the Report and Recommendation and objections filed by Plaintiff, and after undertaking a *de novo* review of the record,

IT IS HEREBY **ORDERED** that Plaintiff's Motion for The Court to Take Judicial Notice of the Docket in Case No. 16-cv-1318 (ECF No. 10) is **GRANTED**;

IT IS FURTHER **ORDERED** that Plaintiff's Objections are **OVERRULED** as they are without merit.

IT IS FURTHER **ORDERED** that the Complaint is **DISMISSED** for failure to state a claim pursuant to the screening provisions of 28 U.S.C. § § 1915(e)(2) and 1915A and leave to

amend is **DENIED** as futile as the factual scenario upon which Plaintiff bases his claims does not prove any conceivable avenue for legal recourse.¹

IT IS FURTHER **ORDERED** that the Report and Recommendation of the Magistrate Judge, dated April 10, 2019, hereby is **ADOPTED** as the Opinion of the District Court.

The Clerk of Court is **ORDERED** to mark this case closed.

SO ORDERED this 3rd day of May, 2019.

/s/ Nora Barry Fischer
Nora Barry Fischer
United States District Judge

cc/ecf: Honorable Cynthia Reed Eddy
United States Magistrate Judge

QUINTEZ TALLEY
KT 5091
SCI Fayette
48 Overlook Drive
LaBelle, PA 15450-0999
(via U.S. First Class Mail)

¹ Plaintiff's state tort claims, i.e., conspiracy, legal malpractice, invasion of privacy, and intrinsic fraud / extrinsic fraud are dismissed without prejudice for want of jurisdiction.